IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 877 OF 2006

Shri Sandeep Vitthal Raut ...Applicant.

V/s

State of Maharashtra
Through Sr. Inspector of
Police, Natepute Police
Station, Dist. Solapur ....Respondent.

Mr. Amol Patankar for the applicant.
Mr. R.Y. Mirza, APP for the State.

CORAM: V.M. KANADE, J.

DATE: 29th March, 2006

P.C.:

1. Heard the learned Counsel for the applicant and the learned APP for the State.

2. The applicant was arrested in connection with C.R. No.53 of 2005 registered with Natepute Police Station for the offence punishable under section 376(g), 506 read with section 34 of the Indian Penal Code.

3. It is the case of the applicant that there was a quarrel between the husband of the prosecutrix and the applicant and, further, a complaint had been filed against the husband of the prosecutrix on account of his behaviour with the sister of the applicant. It is

further submitted that one Dnyandeo Shendge has stated that the applicant and the prosecutrix had an illicit relations and that the prosecutrix has called the applicant to meet her at that particular place and this message was given by Dnyandeo Shendge.

4. In the present case, charge-sheet has been filed. There are no injuries on the person of the prosecutrix though the offence is alleged to have been committed in agricultural field. There are proceedings pending against the present applicant and the husband of the prosecutrix. In view of these circumstances, the applicant be released on bail in the sum of Rs 5000/- with one or two sureties in the like amount. The applicant to report to Natepute Police Station once in a month.

5. The applicant shall not threaten the witnesses or tamper with the evidence. If any complaint is received to that effect by the Investigating Officer, Public Prosecutor is at liberty to make an application for cancellation of bail.

6. Application is accordingly disposed of.

V.M. KANADE, J.